

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

International Application No. : PCT/EP2004/014389
International Filing Date : December 17, 2004
U.S. Serial No. : 10/587,304
Deposit Date U.S. Nat'l Phase : July 26, 2006
Priority Date(s) Claimed : January 27, 2004
Applicant(s) : Matthias KOCH

Title: USE OF STATISTICAL COPOLYMERS

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. § 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 11213-1450

Sir:

In response to the Notification of Missing Requirements dated April 11, 2007, attached is a copy of the declaration filed with the application filing on July 26, 2006. The declaration clearly indicates the international application number and international filing date of the application, as requested in the Notification of Missing Requirements. Because an appropriate declaration was unmistakably filed (and is even indicated as filed in the "submitted" items section of the Notice), the requested \$130 late filing surcharge is not enclosed herewith.

Please also note that the Notice erroneously requests \$100 in extra claims fees for 2 extra claims in this application. There are clearly only twenty total claims listed in both the application as filed and the preliminary amendment filed on the same date. Thus, the requested extra claims fee is also not required or enclosed with this response.

No fees are believed to be due with this response, however, the Commissioner is hereby authorized to charge fees under 37 CFR § 1.16 and § 1.17 which may be required to facilitate this filing, or credit any overpayment to Deposit Account #13-3402.

Respectfully submitted,


Anthony J. Zelano
Registration No. 27,969
Attorney/Agent for Applicants

MILLEN, WHITE, ZELANO
& BRANIGAN, P.C.
Arlington Courthouse Plaza 1
2200 Clarendon Blvd. Suite 1400
Arlington, Virginia 22201
Telephone: (703)243-6333
Facsimile: (703) 243-6410

Attorney Docket No.: MERCK-3214

Date: June 11, 2007



UNITED STATES PATENT AND TRADEMARK OFFICE

APR 13 2007

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 MILLEN P.O. Box 1450 ALEXANDRIA, VA 22313-1450
 Alexandria, Virginia 22313-1450
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/587,304	Matthias Koch	MERCK-3214
INTERNATIONAL APPLICATION NO.		PCT/EP04/14389
I.A. FILING DATE		PRIORITY DATE
12/17/2004		01/27/2004
CONFIRMATION NO. 5402		
371 FORMALITIES LETTER		
 OC000000023315068		

ACTION MSG Requests

DUE DATE 6/11/07

Date Mailed: 04/11/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/26/2006
- English Translation of the IA filed on 07/26/2006
- Copy of the International Search Report filed on 07/26/2006 ACTION _____
- Preliminary Amendments filed on 07/26/2006 _____
- Information Disclosure Statements filed on 07/26/2006 _____
- Oath or Declaration filed on 07/26/2006 DUE DATE _____
- U.S. Basic National Fees filed on 07/26/2006 _____
- Assignment filed on 07/26/2006 _____
- Priority Documents filed on 07/26/2006 _____

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$100** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of **\$130** for a non-small entity, must be submitted with the

missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$230** for a Large Entity:

- **\$130** Surcharge.
- Total additional claim fee(s) for this application is **\$ 100**
 - \$100 for 2 total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/587,304	PCT/EP04/14389	MERCK-3214

FORM PCT/DO/EO/905 (371 Formalities Notice)